

*Before Ali Azeem Ikram, Executive Director/HOD (Adjudication-I)*

**In the matter of Show Cause Notice issued to Premier Insurance Limited**

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Date of Hearing

December 23, 2019

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**Order-Redacted Version**

Order dated January 14, 2020 was passed by Executive Director/Head of Department (Adjudication-I) in the matter of Premier Insurance Limited. Relevant details are given as hereunder:

<b>Nature</b>	<b>Details</b>
1. Date of Action	Show Cause Notice dated November 25, 2019
2. Name of Company	Premier Insurance Limited
3. Name of Individual*	Not relevant. The proceedings were initiated against the Company and Board of Directors (Through Company Secretary).
4. Nature of Offence	Alleged violation of the requirements of S.R.O. 245 (I)/2019 read with Section 40A of the Securities and Exchange Commission of Pakistan Act, 1997
5. Action Taken	<p>Relevant Extracts from the Order on findings and Outcome of the matter are as follows:</p> <p>“8. The analysis of written as well as verbal submissions made by the Company and their confirmation from the relevant departments indicate that the emails were not sent/received on the respective dates; however, the same were sent subsequently to the Company. Therefore, the Company eventually submitted its compliance report on November 14, 2019 in respect of the said emails containing the notifications.</p> <p>9. As regards the objection raised during the hearing on the promulgation process of the Regulations on account of non-publication of the draft thereof in two newspapers, it may be noted that in order to seek comments of all the stakeholders including general public, the Draft Regulations were not only disseminated through SECP’s website for wider circulation but the same were also published in the official Gazette vide SRO 557(I)/2018 dated April 26, 2018. Thus, the said requirement of Section 40(2) of the SECP Act, 1997 was fulfilled in a substantial manner as the rationale behind the requirement is to promote awareness among stakeholders and seek feedback on draft Regulations. As a result of placing the Draft Regulations on the website and publishing the same in the official Gazette, the</p> ”



# Securities and Exchange Commission of Pakistan

## Adjudication Division Adjudication Department-I

	<p>Commission received stakeholders' comments/feedback which were given due consideration before finalizing the draft Regulations. Reliance is also placed on the case titled 'Shoaib Mushtaq vs. Muhammad Qasim (2013 CLC 487)', wherein, the Hon'ble Lahore High Court, Lahore held that, "All procedural laws were meant to foster the cause of justice and not to thwart it as it was more important that substantial compliance of procedural law was made and not its technical observance."</p> <p>10. As far as the objection on service of notices/documents through email and e-Services Portal to an insurance company is concerned, as raised during the hearing, it may be noted that Section 53 of the Companies Act, 2017 recognizes electronic means as a valid mode of service of documents to a company.</p> <p>11. Keeping in view the facts narrated in para 8 above, I hereby close the proceedings without any adverse order."</p>
6. Penalty Imposed	No penalty was imposed.
7. Current Status of Order	No appeal was filed.

Redacted version issued for placement on website of the Commission.